

**STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES**

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| IN THE MATTER OF THE APPLICATION) OF BIRCH POINT FISHERIES FOR RENEWAL) OF AN AQUACULTURE LOCATED EAST OF) BIRCH POINT, PERRY, WASHINGTON COUNTY,) MAINE) | FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION |
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On November 29, 1999, Birch Point Fisheries made application for renewal of an aquaculture lease issued to them on April 3, 1990. The application requested a ten-year renewal to April 2, 2010 of a 28.5 acre finfish lease located east of Birch Point, Perry, Washington County, Maine.

Notice of the application for lease renewal was published in the May, 2000 issue of Commercial Fisheries News and the April 28, 2000 and May 12, 2000 issues of the Quoddy Tides. Members of the public and interested parties were given to May 29, 2000 to request a hearing on the application for lease renewal. No requests for a hearing on this application were received by the Department either on, or before, May 29, 2000, or at any time subsequent to the date of this decision.

Applications for aquaculture lease renewals are governed by 12 M.R.S.A. §6072(12), which provides that an aquaculture lease may be renewed if the lessee has complied with the original lease agreement during its term, that aquaculture has been conducted on the original lease, and that the renewal will not cause the lessee to be a tenant of any kind in aquaculture leases covering an aggregate of more than 250 acres.

Decision

The Commissioner of Marine Resources grants the application of Birch Point Fisheries to renew a 28.5 acre aquaculture lease, located east of Birch Point, Perry, Washington County, Maine, for a period of ten years, to April 2, 2010. In renewal of this lease, Birch Point Fisheries is subject to the same terms, conditions, and obligations set forth in the original lease.

Dated: _____

George D. Lapointe (Commissioner)
Department of Marine Resources